

Draft Minutes Detroit Board of Police Commissioners
Date of Meeting: Thursday, November 3, 2022 – 3:00 PM
Location: Detroit Public Safety Headquarters, 1301 Third St., Detroit, Michigan 48226

- I. **Chairperson Bryan Ferguson called the BOPC Board Meeting to order at 3:00 p.m.**
- II. **Invocation.** Chaplain Cassandra Ford provided the invocation.
- III. **Introduction of Police Commissioners.** A roll call was held, and a quorum was declared.

Detroit Board of Police Commissioners' Membership / Attendance		
	Attend	Not-Attend
Bryan Ferguson, Chairperson	Yes	
Annie Holt	Yes	
Linda D. Bernard, Esq.	Yes	
Cedric Banks	Yes	
Willie E. Bell	Yes	
Willie E. Burton	Yes	
Lisa Carter	Yes	
Ricardo Moore		Excused
Jesus Hernandez	Yes	
Rev. Jim Holley, PhD.		Excused
QuanTez Pressley	Yes	
Quorum (Yes)	9	

- IV. **Chairperson Ferguson** called to approve the Agenda for Thursday, November 3, 2022. The motion was accepted and adopted.
- V. **Chairperson Ferguson** called for any corrections to the Meeting Minutes for October 27, 2022. The minutes were adopted as presented.
- VI. **Introductions of Board administrative and investigative staff, Chief of Police, Elected Officials or Representatives**
- VII. **Chief of Police Report: Chief of Police's Summary of CompStat Data and other Crime Information/DPD Information:** **Chief James E. White and Assistant Chief David LeValley** reported on current CompStat Crime/Statistical Data for Violent Crime and Property; COVID-19 impacts; and recent critical incidents impacting the DPD and the community. See the attached Meeting Transcripts and DPD Crime Reports for more information, which are also posted to the Board's webpage.
- The following inquiries require responses from the BOPC and/or DPD: **Commissioner Bell** reiterated his request for an official report on Patrol & Traffic Enforcement given the disregard for traffic signals by some motorists. **Commissioner Burton** his request for the Board to obtain a copy of the CORE Report conducted several years ago.
- VIII. **Chair Report: Chairperson Ferguson** reported on BOPC and DPD activities, updates, and reports for the Board and the community's awareness. A copy of the report will be placed on file. See the attached Meeting Transcripts for more information, which are also posted to the Board's webpage.
- IX. **Oral Communications / Public Comments.**
Former Commissioner Darryl D. Brown, Former Commissioner William Davis, Mr. Ben Lloyd, Ms. Bernice Smith, Minister Eric Blount, 315 is Ms. Theo Broughton, Mr. Scotty Boman and President Buffington offered public comments.

X. Presentation to the Board – Use of Force Qtr. #3 – Captain Dietrich Lever, Civil Rights Division

- A. Civil Rights Division – Captain Dietrich Lever, Civil Rights Division** provided a summary of data, statistics, and initiatives regarding the Department's efforts to collect use of force data and metrics. See the attached Meeting Transcripts and DPD PowerPoint Presentation for more information, which are also posted to the Board's webpage.

The following inquiries require responses from the BOPC and/or DPD: **Commissioner Pressley** asked whether the Use of Force Continuum has been updated since the copyright date of 1997. **Assistant Chief LeValley** stated that MCOLES (Michigan Commission on Law Enforcement Standards) uses the Use of Force Continuum as a statewide standard to train and license police officers statewide. MCOLES conducts continuous reviews to determine whether the Use of Force Continuum should be updated. In addition, **Assistant Chief LeValley** discussed training information related to the Use of Force Continuum, which allows officers to take action based on the subject's actions. Also, **Commissioner Pressley** expressed concern about the officer potentially escalating an incident versus deescalating the incident. **Assistant Chief LeValley** explained there is no concrete line regarding the officer's response when using use-of-force continuum techniques, and the techniques deployed are dependent upon the subject's actions. **Commissioner Hernandez** asked whether the Department is currently tracking deployment/brandishing the PR-24. **Captain Lever** stated the Department is not currently tracking this area. However, he added the Department investigates allegations and use of force incidents to take appropriate action. **Commissioner Bernard** asked that the next presentation include the statistics on the number of people requiring medical attention, particularly Tasers, and all other uses of force. **Commissioner Bernard** also asked a policy question relating to traffic stop investigations, searching and removing all individuals from the vehicle during the traffic stop investigations. **Captain Lever** stated that all Taser discharges against individuals where it takes effects receive medical attention. **Assistant Chief LeValley** explained that in order to remove individuals from a vehicle, officers must establish reasonable suspicion or cause. It is not DPD policy on every traffic stop to remove every individual. Officers may, however, remove individuals from vehicles if they have reasonable suspicion and cause to do so. **Commissioner Bernard** requested the Department to record the demographics of the individuals stopped, including their race and gender, as well as whether the stops and removals are justified.

XI. Report on Communications Submitted to BOPC as Incoming information:

1. Correspondence from Chief of Police James E. White Re: Administrative Leave Without Pay but with Medical Benefits for Corporal Sean Bell, Badge 2003, assigned to the Twelfth Precinct.
2. Correspondence from Chief of Police James E. White Re: Administrative Leave Without Pay but with Medical Benefits for Police Officer Michael Franks, Badge 2379, assigned to the Twelfth Precinct.
3. Correspondence from Chief of Police James E. White Re: BOPC Request for Reports of the Disciplinary Outcomes for Sustained Cases.
4. Weekly DPD Facial Recognition Technology Report 10/24/22 – 10/30/22
5. DPD ShotSpotter Report 10/24/22 – 10/30/22
6. Staff Reports

XII. Announcement.

Mr. Robert Brown announced the following:

Next Community Meeting: Thursday, November 10, 2022, at 6:30 p.m., at Citadel of Praise, 20280 Lyndon St., Detroit, MI 48223.

Next Meeting: Thursday, November 17, 2022, at 3:00 p.m., at Detroit Public Safety Headquarters, 1301 Third St., Detroit, MI 48226.

Monthly Committee Meetings' Schedule for November 2022 – Every 2nd Wednesday

Budget Committee Meeting	Wednesday, November 9, 2022 at 2:00 p.m.
Personnel & Training Committee Meeting	Wednesday, November 9, 2022 at 2:30 p.m.
Citizen Complaints Committee Meeting	Wednesday, November 9, 2022 at 3:00 p.m.
Policy Committee Meeting	Wednesday, November 9, 2022 at 3:30 p.m.

All Committee Meetings will take place in the Detroit Public Safety Headquarters

XIII. Unfinished Business.

Commissioner Bell moved to “Silence Commissioner Burton for the rest of the meeting, but allow him to stay and vote.” The motion failed.

VOTE: YES = 3 NO = 6 MOTION: FAILED

Yes: Commissioners Bell, Carter, Holt

No: Chairperson Ferguson, Commissioners Banks, Bernard, Burton, Hernandez, Pressley

Commissioner Bernard moved that “the Board rescind and expunge from the minutes specific words from the Chair’s Report from minutes adopted on September 22, 2022. Commissioner Bernard proposed the following language be expunged: “Their high regard for the City and this Board was, however, not without unfair and inappropriate challenges from within our organization presented during the conference to make the City and the Board look less than. Regarding NACOLE’s recent election, we thank the Board who by a majority vote of the Board voted to support Melanie White, our Interim Secretary to the Board, for the NACOLE Board. I’ll have more to say about what happened in Texas.” The motion failed.

VOTE: YES = 2 NO = 7 MOTION: FAILED

Yes: Commissioners Bernard, Burton

No: Chairperson Ferguson, Commissioners Banks, Bell, Carter, Holt, Hernandez, Pressley

XIV. New Business.

Commissioner Bell moved that “the Board of Police Commissioners accept the recommendation from the Personnel and Training Committee to hire and fill eight (8) vacant Investigator positions for the Office of the Chief Investigator: Aaron Crain, Amanda Kevnick, Sanford Kelly, Vanessa Lofton, Henry Ellis, Robin McCants, Joseph Mosley, and Sherry Palmer.” The motion was adopted.

VOTE: YES = 6 NO = 2 MOTION: ADOPTED

Yes: Chairperson Ferguson, Commissioners Banks, Bell, Carter, Hernandez, Pressley

No: Commissioners Bernard, Burton

Closed Session:

Commissioner Hernandez moved that “the Board go into Closed Session pursuant to Section 8(a) of the Open Meeting Act, MCL 15.268 (a) to consider the Department’s request for Administrative Leave Without Pay but with Medical Benefits for Corporal Sean Bell, Badge 2003, assigned to the Twelfth Precinct, Police Officer Bryan Perkins, Badge 2732, and Police Officer Michael Franks, Badge 2379.” (2/3 roll call required) (Time: 5:11 p.m.). The motion was adopted.

VOTE: YES = 6 NO = 0 MOTION: ADOPTED

Yes: Chairperson Ferguson, Commissioners Bell, Bernard, Carter, Hernandez, Pressley

XV. Commissioner Carter moved to “Reconvene the Public Meeting.” (Time: 6:02 p.m.) The motion was adopted.

VOTE: **YES = 6** **NO = 0** **Motion: ADOPTED**

Commissioner Pressley moved to “adopt the Chief of Police recommendation pursuant to Section 8(a) of the Open Meeting Act, MCL 15.268 (a) the department’s request for the Board to consider Administrative Leave Without Pay but with Medical Benefits for Police Officer Bryan Perkins, Badge 2732, assigned to the Eighth Precinct.” (2/3 roll call required). The motion was adopted.

VOTE: **YES = 5** **NO = 1** **Abstain = 1** **Motion: ADOPTED**

Yes: Chairperson Ferguson, Commissioners Bell, Carter, Hernandez, Pressley

No: Commissioner Bernard

Abstain: Commissioner Burton

Commissioner Hernandez moved to “adopt the Chief of Police recommendation pursuant to Section 8(a) of the Open Meeting Act, MCL 15.268 (a) the department’s request for the Board to consider Administrative Leave Without Pay but with Medical Benefits for Police Officer Michael Franks, Badge 2379, assigned to the Twelfth Precinct.” (2/3 roll call required). The motion was adopted.

VOTE: **YES = 5** **NO = 1** **Abstain = 1** **Motion: ADOPTED**

Yes: Chairperson Ferguson, Commissioners Bell, Carter, Hernandez, Pressley

No: Commissioner Bernard

Abstain: Commissioner Burton

XVI. Adjournment.

Chairperson Ferguson adjourned the meeting at 6:06 p.m.